

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

May 14, 2012

7:00 p.m.

Present: Tony DeMarco
Kathy Pucci
Ron Van Kirk
Colleen Gallagher
Katie Gallagher
Kevin Tanski
Tom Murphy

Absent: None

Pledge of Allegiance.

DISPOSAL OF MINUTES:

MOTION by Murphy, second by Van Kirk to approve the minutes of April 23, 2012. **VOTE RESULTED:**
Approve: Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None.
(APPROVED).

President DeMarco reminded everyone that the next Council meeting is Tuesday, May 29th due to the Memorial Day holiday on Monday. Also, on behalf of the entire City Council, offered condolences to Mark Tenaglia (Service Dept. employee), his family, and the Brochetti family on the passing of his wife, Karen.

PUBLIC SESSION:

Lou Changeri of 8972 Trail Run, Brooklyn. Reminded everyone that school will be out June 6th and to be aware and on the watch for children/students crossing the streets.

Al Sirak of 9003 Boxwood Circle. Main concern with city is lack of property maintenance, while at the same time recognizing the need for assistance in the Building Commissioner's office. He invited Council to see the deplorable condition at the house behind him, vacant for almost three years. Also, he has a business on Associate Avenue, and said there is no maintenance there, the road is falling apart, and there are many power issues. As a taxpayer and voter in the city he feels Associate Avenue is a second class city.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Chairman DeMarco): Met at 6:30. The Committee approved a salt consortium agreement; adoption of Res. 2012-7, Ord. 2012-24, Ord. 2012-25, Ord. 2012-26; first readings for Ords. 2012-27 thru 32. Again announced meetings are at 6:30 unless otherwise noticed, and open to the public.

Public Safety & Environmental Committee (Chairman Murphy): Learned that the soccer fields at both Giant Eagle are not large enough for high school type soccer, but are being used for the junior league. Plans are being made for a meeting for discussion of a parking area at Marquardt Park, for the public to attend and give input.

Recreation Board (Councilman Tanski): Next meeting will be Monday, May 21st at 6:30. Asked if there was a report on monthly income from Silver Sneakers. Mgr. McGinty will forward it to him. President DeMarco asked that be e-mailed to all of Council.

Legislative Update/Domestic Violence/Juvenile Diversion (Councilwoman C. Gallagher): The next meeting of the Domestic Abuse Commission will be Wednesday, May 23rd at 7 p.m. at the Community-Senior Center.

Bd. of Zoning Appeals (Comm. Ockington): A request was received from Sheetz, Inc. on April 25th to appeal a denial of a Conditional Use request, for 10315 Cascade Crossing. May 1st the request was asked to be deferred to the June 21st mtg, due to conflicts. Therefore the next meeting will be June 21, 2012 in Mayor's Court.

Planning Commission (Councilwoman K.Gallagher): Met on April 12th; approved request for installation of a 76 sq. foot illuminated sign on the building face at 4650 Tiedeman; approved request from Weston and Co. for a 32 sq. foot ground sign for tenant identification at 8500 Clinton; denied request from Sheetz for Conditional Use approval and preliminary site at 10315 Cascade Crossing.

REPORTS OF COUNCIL:

Kathy Pucci: Offered condolences to Tenaglia and Brochetti families. Welcomed a resident and St. Ignatius student, Jake Lamier, for government class. Update from Safe Routes to School Committee: ODOT scheduled to release those receiving funding, which is delayed until approximately May 18th, at which time we should be notified if our project gets funding; walking maps being drafted, then printed, and distributed. Participated in the ReLeaf project on April 28th. A good group of people volunteered, and 145 trees were planted, in various sizes. She thanked all involved. Said Council used to get all monthly reports, and requested the Rec Dept. reports be sent to everyone every month. Wished everyone happy Memorial Day, and encouraged participation at the cemetery services, parade, and Memorial Park services.

Ron Van Kirk: Also took part in the ReLeaf project, had a good time with the community, and it looks better already. After the last meeting a local news station questioned the city's handling of the tragic shooting at Cracker Barrel, and why city leaders weren't questioning how it was handled. He stressed this was truly a tragedy, and it's easy to look back at an incident and say what could or should have been done. The incident is still being investigated, and to criticize second guess our safety forces is irresponsible. Judgment should be withheld until all facts are known. Thanked the Chief and the men and women of the Police Department for the work that they do every single day.

Mrs. Pucci asked Comm. Ockington, regarding the duplex matter Mr. Sirak brought up, if the appropriate letters were sent out. Comm. Ockington said the grass letter went out, but Mr. Sirak was referring to the garage and rear yard issues, and he now has permission to investigate from Mr. Sirak's property. She spoke on the city's strengthened legislation. She also said we know we have work to do on Associate Avenue.

Colleen Gallagher: Echoed comments, thanking volunteers who helped plant trees in Memorial Park. Condolences to the Cellura and Brochetti-Tenaglia families on the loss of your loved ones. Also received complaint on Southwood house (without an address), which has been empty for almost three years, and an eyesore, and looking for help resolving the problem. Comm. Ockington has spoken to and sent a violation letter to the owner, and the items should be taken care of by July.

Katie Gallagher: Council has been asked to vote on an anti-poaching agreement proposed by the county, which she has taken into consideration the points made by members against it; she feels the city has to support the county's economic development efforts. Brooklyn started being portrayed as anti-business due to lack of communication with businesses when the tax increase was voted on. By not supporting the county Brooklyn will appear to not be willing to work with neighboring communities and the county. We need to work with the county and cities to retain and attract quality businesses. She will be voting in favor of the anti-poaching agreement.

Kevin Tanski: The Sustainability Advisory Committee was held April 26th. Dir. Verba is chairman, and distributed the city's energy audit, conducted in September, 2011. A lighting proposal was handed out in regard to lighting at the Service Garage; solar panel use and windmill use was shown; discussions about costs and cost savings; the need to look for grant monies, with assistance from Dir. Migliorino; start at the Rec Center to study how energy costs could be reduced (they did a walk-thru there and made some suggestions); meet with directors of departments and facilities to show how to reduce costs. The next mtg. is Wednesday, May 23rd at 6 p.m. in the Conference Room. Also had calls on properties. Asked Comm. Ockington about legislation relating to vacant properties and how to deal with them. Comm. Ockington said we do, but a discussed property's owner lives in Florida and issues with that. There was discussion on how

to deal with these properties, liens, concerns, and the lack of available help in the department (himself and one part-time person) to inspect and enforce. Asked residents to document.

Tom Murphy: Condolences to the Tenaglia-Brochetti family. Reminded everyone about the Memorial services and parade.

Tony DeMarco: Forgot to report on the Economic Development Committee, which met April 27th. A new item is there will be a breakfast with the Mayor, his administration, and members of Council available, on June 28th. Brooklyn business owners/representatives are invited for a candid and open development. Understand Mr. Sirak's property concerns, and if we need to amend legislation to make more stringent we will. Understands Comm. Ockington's lack of help. Associate Avenue is high on a list of items that need to be addressed, hopefully next year. Condolences to the Cellura family. Last week the Ohio Legislature's tax film incentive was passed in the Senate and the House overwhelmingly; hopefully it can positively impact the City of Brooklyn. Commented on several requests made recently for expenditures not in the current budget, including two from the Police (total almost \$50,000), from the Fire (ambulance repair, \$20,000), and a request for a parking lot at Marquardt (cost unknown). Also Ord. 2012-26 this evening, if passes, is \$9500 unanticipated. Ords. 2012-27 to 32 will add additional \$16,000 not anticipated in budget. All totaling approximately \$100,000 (not including a maybe parking lot.) Plus Mr. Tanski's identified another potential \$20,000 in costs. His point, which he is repeating, is that it's important to maintain financial flexibility in uncertain times is very important. Last Monday \$1,696,891.18 was wired to Key Bank to pay off all of short term debt, which he does not believe was a good thing. The balance reduction will make it more difficult to deal with upcoming revenue reductions. It's not a contest of who wins or loses in these decisions, but in the greater good for every resident. Reminded Memorial Day ceremony at West Park Cemetery begin at 9:30, the parade at 11 a.m. at Board of Education parking area, and then on to City Hall area.

MAYOR'S REPORT:

Mayor Balbier: Reiterated that Associate was discussed earlier, and everyone is aware of it, and will be looked into for next year. Will contact CEI for the electrical problem, which he had not heard about. There is a new manager at the Brooklyn Library, Lucinda Berzanie. They will be having a contest from June 9 – Aug. 11th, to see how much reading can be done, with prizes awarded. Stop at or call the Library for more information. As far as the parade, any families of military personnel are invited to participate, and call Tina at 216-635-4209 for details. Interested groups should call the Rec Dept. The monthly reports are available at the front desk. The new Senior car came in for the Meals on Wheels program. April 27th Arbor Day was celebrated with 3rd grade students from Brookridge and St. Thomas More. Toured the Southerly Water Waste Treatment Plant, which is also available for groups to tour. Dir. Migliorino and he took a \$40,000 check from NOPEC to Allotech on Clinton. The County notified they have a new Heritage Home Program, of which 3200 Brooklyn homes would fall into. It's for rehab, repair, or maintaining an older home; and offers a loan of 2% for eligible homeowners. Announced basketball and band night for Brooklyn at Progressive Field for Sept. 29th, information from the school. He and Dir. Migliorino gave a check for \$50,000 for the Memphis Industrial Park project to Mr. Love of Gateway, which will be reimbursed to the city from the county. A grand opening of the street should be in the beginning of June. Gave an update on the restroom facilities at the Senior Center. Had meetings with Parma, Parma Hts. and Brook Park, trying to see how to work out with regionalization sharing a mechanic for emergency equipment. Also met with the county to see about getting a Human Resources person one to two days per week.

Mr. Tanski asked Dir. Claussen if an ordinance could be drafted or get stronger teeth on out of town people not keeping up houses. Dir. Claussen said there are certain things that could be done to beef up laws, but the out of towners are a problem. Enforcement is tough. Further discussion was had on house disrepair, enforcement, and manpower issues.

DIRECTORS' REPORTS:

Rec. Mgr. McGinty: Gave information for those interested in participation in the Memorial Day parade. Super sign-up will be held this Saturday and Sunday from 11-1. Call 216-351-5334 for more information.

Service Dir. Verba: Informing residents that Service Dept. employees on garbage and recycling trucks have been instructed to leave materials not acceptable for pickup. Yard waste cannot be in plastic bags, and it can only have yard waste in it. Asked residents who have a problem to call the Service Garage at 216-635-4332 with issues pertaining to items, and not to confront a city worker. There is still a problem with rubbish being put out too early for collection. Ord. 951.02 gives regulations stating rubbish cannot be put out prior to dusk before collection pickup day. Refuse collection containers must be taken off treelawns after collection. Violations will be enforced. Condolences to Service Garage employee Mark Tenaglia on the passing of his wife Karen.

AUTHORIZATION REQUEST:

From Dir. Verba to enter into an agreement with Cargill, Inc., through a purchasing consortium for salt purchases, at the same cost as 2011-2012 contract. **MOTION** by Pucci, second by DeMarco to authorize. **VOTE RESULTED:** *Approve:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(AUTHORIZED)**

LEGISLATION:

RESOLUTION #2012-1 (2nd Reading): A Resolution of support authorizing the Mayor to enter into an agreement on behalf of the City of Brooklyn with Cuyahoga County for the purpose of establishing an Anti-Poaching Protocol. Mrs. Pucci said Mr. Jerse from the County came out again to speak to Council, answering questions and giving additional information. Has mixed feelings, not seeing the benefit, but also does not see it harmful, and there's a provision that we can remove ourselves from agreement. In spirit of cooperation she will vote for it. **(SECOND READING)**

RESOLUTION 2012-7: Supporting the application of the Brooklyn Community Improvement Corporation to the Cuyahoga County Brownfield Redevelopment Fund's Community Assessment Initiative in the City of Brooklyn, Ohio. **MOTION** by Pucci, second by C.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. *Adopt:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(ADOPTED)**

ORDINANCE 2012-24 (2ND Reading): To provide for the creation and use of an Economic Development Fund. **MOTION** by Pucci, second by DeMarco to suspend the rules, as amended.. **VOTE RESULTED:** *Suspend the Rules:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. *Adopt, as amended:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(ADOPTED)**

ORDINANCE 2012-25: Authorizing the Mayor to enter into an agreement with Civil & Environmental Consultants, Inc. (CEC, Inc.) to provide Tier 2 evaluation and consulting services related to the closure of the underground storage tank at 7619 Memphis Avenue in an amount not to exceed \$17,900. **MOTION** by Pucci, second by C.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. *Adopt:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(ADOPTED)**

ORDINANCE 2012-26: Accepting the dedication plat of the newly constructed Memphis Industrial Parkway located in Brooklyn, Ohio. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. *Adopt:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(ADOPTED)**

ORDINANCE 2012-27: Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the AFSCME Ohio Council 8, AFL-CIO Local 3218 bargaining unit. **MOTION** by Pucci, second by Murphy to place on first reading. **(FIRST READING)**

ORDINANCE 2012-28: Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the Municipal Foremen and Laborers Union Local 1099

bargaining unit. **MOTION** by C.Gallagher, second by Tanski to place on first reading. **(FIRST READING)**

ORDINANCE 2012-29: Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the International Association of Firefighters Local 1145 bargaining unit. **MOTION** by Pucci, second by Tanski to place on first reading. **(FIRST READING)**

ORDINANCE 2012-30: Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the Ohio Patrolmen's Benevolent Association – Patrol and Sergeants bargaining unit. **MOTION** by Tanski, second by K.Gallagher to place on first reading. **(FIRST READING)**

ORDINANCE 2012-31: Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the Ohio Patrolmen's Benevolent Association – Jailers bargaining unit. **MOTION** by C.Gallagher, second by Tanski to place on first reading. **(FIRST READING)**

ORDINANCE 2012-32: Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the Ohio Patrolmen's Benevolent Association – Dispatchers bargaining unit. **MOTION** by C.Gallagher, second by Tanski to place on first reading. **(FIRST READING)**

Mayor Balbier reminded everyone to come out to the parade on Memorial, May 28th.

MOTION by Tanski, second by Murphy to adjourn. **VOTE RESULTED:** *Adjourn:* Yes: DeMarco, Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(ADJOURNED)**

Asst. Clerk of Council

President of Council